



**ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.**

---

In re Massachusetts Port Authority  
NPDES Permit No. MA0000787

---

)  
)  
) NPDES Appeal No. 23-03  
)  
)  
)

**ORDER DISMISSING PETITION FOR REVIEW**

The Massachusetts Port Authority (“Massport”) petitioned the Environmental Appeals Board to review certain provisions of a National Pollutant Discharge Elimination System permit, which EPA Region 1 issued to Massport. Following the parties’ participation in the Board’s Alternative Dispute Resolution program, Massport and EPA Region 1 have filed a Joint Motion to Dismiss under 40 C.F.R. § 124.19(k) requesting dismissal of the petition. Joint Motion to Dismiss, at 1-2 (July 30, 2025) (explaining that the parties entered into a Settlement Agreement and that the permit modification process described in the Settlement Agreement is now complete).

Based on the Joint Motion to Dismiss and the representations contained therein, the Environmental Appeals Board dismisses the petition for review.

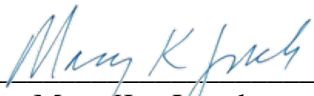
So ordered.<sup>1</sup>

---

<sup>1</sup> The panel deciding this matter is composed of Environmental Appeals Judges Mary Kay Lynch and Ammie Roseman-Orr.

**ENVIRONMENTAL APPEALS BOARD**

Dated: July 31, 2025

By:   
Mary Kay Lynch  
Environmental Appeals Judge

## **CERTIFICATE OF SERVICE**

I certify that copies of the foregoing *Order Dismissing Petition for Review* in the matter of Massachusetts Port Authority, NPDES Appeal No. 23-03, were sent to the following persons in the manner indicated:

### **By Email:**

#### *For Massachusetts Port Authority:*

Colin G. Van Dyke, Esq.  
Carlos R. Rosende, Esq.  
Anderson & Kreiger LLP  
50 Milk Street, 21st Floor  
Boston, MA 02109  
cvandyke@andersonkreiger.com  
crosende@andersonkreiger.com

#### *For U.S. EPA Region 1:*

Erin Flannery-Keith, Esq.  
Megan Edwards, Esq.  
U.S. EPA, Region 1  
5 Post Office Square, Suite 100  
Boston, MA 02109  
flannery-keith.erin@epa.gov  
edwards.megan@epa.gov

#### *For Co-Permittees:*

Richard S. Davis, Esq.  
Beveridge & Diamond PC  
1900 N Street, Suite 100  
Washington, DC 20036  
rdavis@bdlaw.com

Dated: Jul 31, 2025

*Tommie Madison*

---

Tommie Madison  
Clerk of the Board